

# **REMARKS**

Claim 7 has been amended herein. Reconsideration of the present application in view of the amendments to the claims and remarks provided below is respectfully requested.

## **Claim Rejections under 35 USC 103**

Claims 7-9 were rejected under 35 USC 103 as being unpatentable over Takai et al. (US6417426) in view of Gibes et al. (US6380292) and in view of Giacometti (EP0737462). The Examiner's rejections are respectfully traversed.

Amended claim 7 recites: A material comprising: 1) a first surface and a second surface opposite the first surface, the second surface forming a body facing surface 2) an adhesive composition disposed in a pattern on the first surface of the material, 3) a plurality of apertures in an area of said material not patterned with adhesive, and 4) flocked fibers applied to said adhesive composition, said apertures originating in the second surface of the material and extending from said first surface to said second surface, wherein said apertures are structured and arranged such that side walls of said apertures protrude away from the second surface and project outward from said first surface and *wherein the flocked fibers and the apertures are arranged such that said flocked fibers surround a plurality of said apertures apertures.* (Emphasis Added)

Thus, the present invention as recited in claim 1, relates to a material including, in part, an area having a plurality of apertures which does not contain adhesive or fibers, an area having adhesive and flocked fibers, wherein the flocked fibers and apertures are arranged such that the fibers surround a plurality of said apertures in the fiber free area.

The subject matter now recited in amended claim 1 is clearly shown in Figure 3 of the application. As shown in Figure 3, the flocked fibers 14 are arranged so that they surround a plurality of apertures 9. It is respectfully submitted that the cited references, neither singularly nor in combination, disclose the invention recited in amended claim 7.

The Examiner cites Giacometti as disclosing a top sheet including a "perforated (apertured) area free of adhesive and adhesively attached flock fibers on the remainder of the article." (Office Action, p. 3). However, Giacometti fails to disclose a material of the type recited in amended claim 7. Rather, in one embodiment, Giacometti purportedly discloses a film having a perforated strip and a flocked strip, where the flocked fiber is

applied in the unperforated portion of the film. (Fig. 6 and col. 6, ll. 46-50) Giacometti also purportedly discloses, in another embodiment, a film including a perforated strip and a unperforated strip wherein fibers are applied in a uniform manner over the entire surface of the film. (Fig. 7 and col. 6, ll. 50-54).

In view of the above it is respectfully submitted that Giacometti fails to disclose the claimed invention. In particular, it is respectfully submitted that Giacometti fails to disclose a material, including in part, an area having a plurality of apertures which does not contain adhesive or fibers, an area having adhesive and flocked fibers, *wherein the flocked fibers and apertures are arranged such that the fibers surround a plurality of said apertures in the fiber free area*. It also is respectfully submitted that the other cited references fail to teach or suggest the claimed invention as set forth in amended claim 7. Moreover, it is submitted that the teachings of the cited references cannot be combined in any manner to arrive at the claimed invention as recited in amended claim 7.

Reconsideration of the application as amended is respectfully requested. The Examiner is invited to call the applicants' undersigned representative if any further action will expedite the prosecution of the application or if the Examiner has any suggestions or questions concerning the application or the present Response. In fact, if the claims of the application are not believed to be in full condition for allowance, for any reason, the applicants respectfully request the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP § 707.07(j) or in making constructive suggestions pursuant to MPEP § 706.03 so that the application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Respectfully submitted,

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